

REMARKS**Summary of the Office Action**

Claims 10-12, 16-19, and 23 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Hirayama et al. (U.S. Patent No. 6,128,434).

Claims 13-15 and 20-22 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Hirayama et al. in view of Kameo et al. (U.S. Patent No. 4,899,370).

Summary of the Response to the Office Action

Applicants have deleted claims 13 and 20 and amended claims 10, 14, 17, and 21. No new matter has been added. Accordingly, claims 10-12, 14-19, and 21-23 are pending for consideration.

The Rejection under 35 U.S.C. § 102(e)

Claims 10-12, 16-19, and 23 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Hirayama et al. To the extent that this rejection might still apply to the claims as newly amended, Applicants respectfully traverse the rejection for at least the following reasons.

With respect to the rejection of independent claims 10 and 17 under 35 U.S.C. § 102(e), Applicants respectfully submit that Hirayama et al. does not teach or suggest each and every limitation of independent claims 10 and 17, as newly-amended. Independent claim 10 recites, *inter alia*, a recordable medium having “a record information area for

storing a record information, wherein the record information is a television program.”

Independent claim 17 recites “record information, which is a television program.” At least this feature of independent claims 10 and 17 is neither taught nor suggested by Hirayama et al.

As admitted by the Examiner at page 5 of the Office Action dated March 13, 2002 “Hirayama et al. fails to explicitly disclose wherein the record information is a television program.” Indeed, at column 1, lines 10-16 and column 2, lines 18-23, Hirayama et al. discloses a multilingual recording medium containing educational programs, for example, and related language information. Hence, Hirayama et al. fails to disclose record information that is “a television program.”

For the foregoing reasons, Applicants respectfully assert that the rejection under 35 U.S.C. § 102(e) should be withdrawn because Hirayama et al. does not teach or suggest each feature of independent claims 10 and 17, as amended. Furthermore, Applicants respectfully assert that dependent claims 11, 12, 16, 18, 19, and 23 are allowable at least because of their dependence from independent claims 10 and 17, respectively, and the reasons set forth above.

The Rejections under 35 U.S.C. § 103(a)

Claims 13-15 and 20-22 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Hirayama et al. in view of Kameo et al. Although Applicants do not acquiesce to the substance of the § 103 rejections, claims 13 and 20 have been canceled without prejudice or disclaimer and claims 14 and 21 have been rewritten in

independent form. Nevertheless, to the extent that this rejection might still apply to the claims as newly amended, Applicants respectfully traverse the rejection for at least the following reasons.

With respect to newly amended independent claims 10 and 17, Hirayama et al. and Kameo et al., whether taken singly or combined, fail to teach a recordable medium having “a reservation information area for storing a reservation information” that indicates “a scheduled time for recording the television program on the recordable medium.” In contrast, Hirayama et al. discloses management information for reproducing recorded information. At column 8, lines 31-34, Hirayama et al. describe the management information to include an identity field, a program information field, and a data unit allocation table. The identity field is used to determine whether the disk is for general recording or reproduction only. See column 8, lines 37-39. The program information field is used for associating description codes with language codes. See column 8, lines 40-55. Finally, the data unit allocation table contains disk information and program identification information. See column 9, lines 55-64.

Furthermore, instead of disclosing a recordable medium having “a reservation information area for storing a reservation information” that indicates “a scheduled time for recording the television program on the recordable medium,” Kameo et al. discloses a timer unit 3 shown in Figure 3 that outputs a recording start command to circuit unit 5. See column 3, lines 24-29. The recording start command disclosed by Kameo et al. is clearly not stored as reservation information in the reservation information area of a recordable medium. Thus, Hirayama et al. and Kameo et al., whether taken singly or

combined, fail to teach or suggest each and every limitation of independent claims 10 and 17, as amended.

With respect to the rejection of claims 14 and 21 as allegedly being obvious over Hirayama et al. in view of Kameo et al., Applicants respectfully traverse the rejection because the rejection fails to set forth a *prima facie* case of obviousness. For example, with regard to “channel information” recited in independent claims 14 and 21, the Office Action fail to provide any “suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to . . . combine reference teachings.” M.P.E.P. §§ 2142, 2143. In fact, Kameo et al. does not even pertain to a recordable medium. At column 2, lines 30-34, Kameo et al. discloses a remote control apparatus for electronic equipment.

For the forgoing reasons, Applicants respectfully assert that the rejection of independent claims 14 and 21 under 35 U.S.C. § 103(a) should be withdrawn. Furthermore, Applicants respectfully assert that dependent claims 15 and 22 are allowable at least because of their dependence from independent claims 14 and 21, respectively, and the reasons set forth above.

Conclusion

In view of the foregoing, Applicants respectfully request entry of the amendments to place the application in clear condition for allowance or, in the alternative, in better form for appeal. Applicants also request the Examiner’s reconsideration and reexamination of the application, withdrawal of all rejections, and the timely allowance

of all pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants' undersigned representative to expedite the prosecution.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "Version with Markings to Show Changes Made."

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE**In the Claims:**

Claims 13 and 20 have been canceled without prejudice or disclaimer.

Claims 10, 14, 17, and 21 have been amended as follows:

10. (Amended) A recordable medium comprising:

a reservation information area for storing a reservation information; and

a record information area for storing a record information,

wherein the record information is a television program and is recorded on the record information area based on the reservation information, and the reservation information indicates a scheduled time for recording the television program on the recordable medium.

14. (Amended) A [The] recordable medium comprising: [according to claim 10,]

a reservation information area for storing a reservation information; and

a record information area for storing a record information,

wherein the record information is recorded on the record information area based on the reservation information, and [wherein] the reservation information comprises at least a channel information, a start time for recording, a stop time for recording and a recording date to record a [the] television program.

17. (Amended) A recordable medium comprising:

a reservation information area on which a reservation information is recorded in advance; and

a record information area for storing a record information,

wherein, at the time of recording operation, the record information, which is a television program, is recorded on the record information area based on the reservation information, the reservation information indicating a scheduled time for recording the television program on the recordable medium.

21. (Amended) A [The] recordable medium comprising: [according to claim 17,]

a reservation information area on which a reservation information is recorded in advance; and

a record information area for storing a record information,

wherein, at the time of recording operation, the record information is recorded on the record information area based on the reservation information, and [wherein] the reservation information comprises at least a channel information, a start time for recording, a stop time for recording and a recording date to record a [the] television program.